

PRIVACY INTERNATIONAL

Eric King
Head of Research
Privacy International
46 Bedford Row
London
WC1R 4LR

2nd March 2012

XXXXXXX
XXXXXXXXXX
XXXXXXXXXX
XXXXXX
XXXXXX

Dear XXXXXX,

I am writing because it has come to our attention that your company, XXXXXX, sells surveillance technology. In light of this, I have some questions about your business practices; I would greatly appreciate it if you could find the time to answer them.

The Second Principle of the United Nations Global Compact (a UN initiative to encourage businesses to adopt social responsible policies) states that businesses should ensure that they are not complicit in human rights abuses. While the UN recognises each country's right to intercept telecommunications and conduct surveillance in order to uphold national laws, it also expects both states and private companies to respectively protect and respect human rights.

You will be aware that many countries today are not upholding their responsibility to protect the human rights of their citizens. Freedom House's latest report, 'Freedom in the World 2012', lists 48 countries around the world as 'Not Free'¹. Politicians around the world have been calling for companies like yours to halt exports of surveillance technology to such countries. Lord Alton, ex-Liberal Democrat MP and cross-bench member of the House of Lords, has stated: "Technology of this kind can be every bit as lethal as the bullets that might be directly sold by a munitions company or armaments quartermaster." In December 2011, US Secretary of State Hillary Clinton stated that surveillance companies should undertake "human-rights due diligence" before selling products and services that could be "used as tools of oppression".

¹ 'Not Free' countries: Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Belarus, Brunei, Burma, Cambodia, Cameroon, Chad, China, Congo (Brazzaville), Congo (Kinshasa), Côte d'Ivoire, Cuba, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, The Gambia, Iran, Iraq, Jordan, Kazakhstan, Laos, Libya, Mauritania, North Korea, Oman, Qatar, Russia, Rwanda, Saudi Arabia, Somalia, South Sudan, Sudan, Swaziland, Syria, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Vietnam, Yemen, Zimbabwe.

You may also be aware of ISS World, the surveillance trade show commonly known as the 'Wiretappers' Ball'. Privacy International recently uncovered evidence proving that recent ISS Worlds in Washington DC, Dubai and Prague have played host to several representatives of infamous human rights-abusing regimes, including intelligence agencies from Kenya, Yemen, Bahrain and pre-revolutionary Libya and Egypt, and interior ministries from Pakistan, Sudan, Morocco, Saudi Arabia and pre-revolutionary Tunisia. The Embassy of Belarus – a country that the US State Department has described as "a brutal, authoritarian dictatorship that blatantly ignores human rights and fundamental freedoms" – attended ISS World in Washington DC in 2006, 2007 and 2009.

I'm sure you can understand that we are extremely concerned by the fact that some of the world's most oppressive governments currently have access to some of the world's most sophisticated surveillance technologies. We are now trying to ascertain which equipment and software has ended up in the hands of dangerous regimes, in order to help us advise local and visiting human rights defenders, journalists, pro-democracy activists and other vulnerable groups how to protect themselves. I urgently request responses to the following questions:

1. Does your company currently have a policy of undertaking "human-rights due diligence" in its dealings with foreign companies or governments?
2. If so, would you be able to provide us with a copy of this policy?
3. If not;
 - a) do you have any plans to implement such a policy in the near future?
 - b) why have you chosen not to follow the UN guidance?
4. Has your company been involved in manufacturing, providing, customizing or integrating equipment, software or services to a 'Not Free' country.
5. If so, what equipment and/or software specifically have you sold to a 'Not Free' country to date?
6. Are you currently seeking to do future business in one or more 'Not Free' countries and, if so, what equipment and/or software specifically are you intending to sell?
7. Have your engineers and/or technicians visited a 'Not Free' country at any point in the course of business, and if so, how many times has this occurred?
8. Would you be interested in meeting with us, in confidence, to discuss how such a human rights policy could be implemented?

I very much look forward to receiving your response. Please do not hesitate to contact me directly on +44 (0) 7986 860013, or at eric@privacy.org.

Kind regards,

Eric King
Head of Research